

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

City of Chicago,

Plaintiff,

v.

DoorDash, Inc. and Caviar, LLC,

Defendants.

Civil Action No. 1:21-cv-05162

Hon. Jeremy C. Daniel
Magistrate Judge Jeffrey T. Gilbert

JOINT STATUS REPORT

Pursuant to this Court's orders dated December 23, 2022 (ECF No. 90) and December 19, 2022 (ECF No. 87) directing the parties to file a status report seven days after each rolling production deadline to provide information about the last rolling production, what has been produced to date in total, and what remains to be produced, the parties hereby file this Joint Status Report concerning the February 23, 2024 production deadline.

I. Status of the City's Document Productions

A. Documents Produced by the City To Date

As of March 1, the City has produced 6,934 documents, totaling 54,789 pages, in rolling productions. The City's prior productions are described in more detail in the prior joint status reports (ECF Nos. 96, 101, 105, 109, 115, 151, 164, 174, 194, 200, 202, 216, 230, 234, 242, 246, 249, 250, 282).

The City's February 23, 2024 production contained two documents and 47 pages. This production contained documents responsive RFP No. 10 (complaints received by the City concerning DoorDash¹).

B. Remaining Documents to be Produced

The City responded to Defendants' Eighth Set of Requests for Production (Nos. 107-115) on February 14. The parties are now in the process of meeting and conferring on these and other requests. On January 31, DoorDash requested that the City supplement its response to several document requests and proposed narrowed versions of several others to which the City had objected; the City is evaluating those proposals, including those for RFP Nos. 24, 25, 34, and 35. The City continues to review its overall production for completeness. The City is producing a privilege log on March 1, reflecting privileged documents withheld or redacted in the course of the City's searches for responsive documents to date. The City will meet and confer with DoorDash regarding any perceived inadequacies in that log, and the City will supplement the log to reflect privileged documents identified in any future searches agreed to in the parties' discovery negotiations or directed by the Court. The City expects to make a small production of documents that initially had been withheld as privileged but that, on further review in connection with its privilege log, the City determined should be produced.

II. Status of DoorDash's Document Productions

A. Documents Produced by DoorDash to Date

DoorDash did not make a production on February 23, 2024. Since August 2022, DoorDash has produced a total of 7,073 documents and 36,237 pages across 24 productions. The documents produced to date include:

¹ As previously noted, the City has interpreted RFP No. 10 to include positive and neutral commentary from third parties as well.

- Custodial documents responsive to the City's document requests relating to minimum amount promotional discounts, non-partner restaurants, Dasher pay, consumer fees, and menu pricing;
- Documents identified in known non-custodial locations;
- Documents identified from DoorDash's review of documents produced in related investigations and litigations;
- Spreadsheets that were created in order to respond to the City's requests for specific data.

As of the date of this report, DoorDash has produced documents responsive to the majority of the City's requests for production.

B. Remaining Documents to be Produced

DoorDash recently agreed to add two listserv inboxes to its search methodology, and to run additional search terms relating to the Chicago Fee across the custodians agreed-upon for fees to date. DoorDash has begun the collection and review process for these documents and anticipates continuing rolling productions in the coming weeks. It also continues to evaluate what it may be able to produce in response to additional requests made by the City, including as to Salesforce contacts. Finally, DoorDash is in the process of preparing a privilege log.

DATED: March 1, 2024

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,
AFFIRMATIVE LITIGATION
DIVISION**

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